

RECEIVED

DEC 11 2017
U.S. District Court
Eastern District of MO

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN _____ DIVISION**

JOHN CUTTS

(Enter above the full name of the Plaintiff[s] in this action.)

- VS -

THE COUNTY OF ST. LOUIS, MISSOURI

(Enter above the full name of **ALL** Defendant[s] in this action. Fed. R. Civ. P. 10(a) requires that the caption of the complaint include the names of **all** the parties. Merely listing one party and "et al." is insufficient. Please attach additional sheets if necessary.

Case No. _____
(To be assigned by Clerk
of District Court)

COMPLAINT

I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

- 1) 42 U.S.C., SECTION 1983
- 2) DUE PROCESS RIGHT VIOLATION (14th Amendment)

II. Plaintiff, JOHN CUTTS resides at

6221 GARFIELD AVENUE, BERKELEY, ST LOUIS
street address city county

MISSOURI, 63134, 314-828-8250
state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

III. Defendant, ST. LOUIS COUNTY lives at, or its business is located at

MISSOURI 63105
_____, _____
state zip code

(if more than one defendant, provide the same information for each defendant below)

IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

POLICYMAKERS IN THE POLITICAL SUBDIVISION OF ST LOUIS COUNTY, BY NOT FOLLOWING THE APPLICABLE PROCEDURES SET OUT IN THE MISSOURI REVISED STATUTES (RSMo), ARE CAUSING ME GREAT STRESS, FEAR, EMBARRASSMENT AND LOST OPPORTUNITIES BY VIOLATING MY RIGHTS SUPPOSEDLY SECURED BY THE U.S CONSTITUTION AND LAWS.

ON 11/20/2014, I WAS SENTENCED TO 5 YEARS OF PROBATION FOR FAILURE TO MAKE ENOUGH CHILD SUPPORT PAYMENTS, VIOLATING RSMO 568.040. ON 8/2/2016, THE MISSOURI BOARD OF PROBATION AND PAROLE (MBPP) NOTED THAT I WAS SCHEDULED TO BE RELEASED FROM PROBATION ON 6/2/2017 FOR EARNED COMPLIANCE, IF I REMAINED IN COMPLIANCE WITH THE TERMS OF MY PROBATION AS DEFINED IN RSMO 217.703. YET, AS I REMAINED IN COMPLIANCE, PRIOR TO MY DISCHARGE DATE, THE COURT SUSPENDED MY PROBATION AND THE SUSPENSION REMAINS IN EFFECT TO THIS DAY. ON 9/8/2017, I FILED A MOTION IN THE CIRCUIT COURT OF ST. LOUIS COUNTY (THE COURT) REQUESTING TO BE DISCHARGED FROM PROBATION ON THE GROUNDS JUST STATED, OR TO HAVE THE MATTER HEARD BY THE COURT. NOT ONLY DID THE MOTION GO UNOPPOSED, IT WAS ALSO NOT RESPONDED TO BY THE COURT. MEANWHILE, MY FREEDOMS AND OPPORTUNITIES REMAIN CONFINED. FOR EXAMPLE, I BELIEVE THAT IT WAS IN EARLY SEPTEMBER 2017 THAT I HAD A JOB INTERVIEW SCHEDULED AT MR. TRANSMISSION IN DECATUR, GEORGIA, SO I CALLED AND SPOKE WITH MY PROBATION OFFICER, RAY MORALES. HE SAID THAT HE HAD NO AUTHORITY TO SEE ME, BUT THAT HE WOULD REACH OUT TO THE COURT FOR CLARIFICATION ABOUT MY SITUATION AND GET BACK WITH ME. HE NEVER GOT BACK TO ME. ON 12/8/2017 I CALLED AGAIN AND SPOKE WITH PROBATION OFFICER, RAY MORALES, THIS TIME SEEKING HIS PERMISSION TO ACCEPT A BIRTHDAY GIFT FROM MY MOTHER, WHICH WAS FOR A VACATION TIME SHARE OUT OF THE STATE. HE EXPRESSED TO ME THAT HE WAS BAFFLED BY MY SITUATION, AND THAT HE WOULD IMMEDIATELY REACH OUT TO THE COURT AGAIN FOR CLARIFICATION, AND GET RIGHT BACK TO ME. AGAIN, HE DID NOT.

I WOULD LIKE TO STATE ALSO THAT PRIOR TO MY SCHEDULED DISCHARGE DATE OF 6/2/2017, MY PROBATION OFFICER WAS ABLE TO GIVE ME A TRAVEL PERMIT, AND DID SO, FOR ME TO TRAVEL TO CEDAR RAPIDS, IOWA, FOR A TRUCK DRIVER TRAINING AND EMPLOYMENT OPPORTUNITY WITH A COMPANY BY THE NAME OF CRST. WHILE I WAS IN IOWA AT THE TRAINING PROGRAM, I WAS KICKED OUT AFTER I TOLD THE COMPANY I NEEDED TO BE IN ST. LOUIS FOR A PROBATION VIOLATION HEARING THAT WAS SCHEDULED AFTER ST. LOUIS COUNTY PROSECUTING ATTORNEY KRISTEN WOOD MOTIONED THE COURT ON 3/6/2017 TO REVOKE MY PROBATION FOR "FAILING TO MAKE A PAYMENT SINCE 9/29/2016" AND MAKING "ONLY 2 PAYMENTS IN THE PREVIOUS 6 MONTHS". THAT WAS DESPITE THE FACT THAT MISSOURI CHILD SUPPORT ENFORCEMENT RECORDED THAT I MADE 15 CHILD SUPPORT PAYMENTS BETWEEN 9/29/2016 AND 3/6/2017. WHILE I STOOD IN FRONT OF THE JUDGE ON 6/15/2017, THE PROSECUTOR KRISTEN WOOD SAID TO ME THAT HER AND THE JUDGE HAD DISCUSSED OPTIONS ON HOW TO MOVE FORWARD WITH MY CASE, INCLUDING ALLOWING ME TO NOT HAVE TO CHECK IN WITH MY PROBATION OFFICER ANYMORE, IF I AGREED TO OTHER TERMS. THE JUDGE MADE A GESTURE TO THE PROSECUTOR TO STOP TALKING AND THE PROSECUTOR IMMEDIATELY DID SO. THAT MOMENT MADE ME FEEL AS IF THE JUDGE AND THE PROSECUTOR WERE WORKING TOGETHER TO DEPRIVE ME OF KNOWLEDGE OR SOMETHING ELSE. IN ANY EVENT, AT THAT TIME THE PROBATION VIOLATION HEARING WAS SCHEDULED FOR 7/31/2017, AND ON 7/21/2017 THE PROSECUTOR WITHDREW THE MOTION TO REVOKE MY PROBATION. AT THAT TIME I FELT THAT THINGS WERE GOING IN THE RIGHT DIRECTION UNTIL ON 11/22/2017 ANOTHER PROSECUTOR FILED A MOTION TO REVOKE.

BECAUSE OF BEING A VICTIM OF BIAS AND UNLAWFUL PROCEDURE BY THOSE IN POSITIONS OF POWER AT THE COUNTY EVIDENCED BY SUSPENDING MY PROBATION BASED ON FALSE INFORMATION THAT WAS LATER WITHDRAWN, WHILE THE SUSPENSION REMAINED IN EFFECT; BY EXTENDING MY PROBATION SUSPENSION WITHOUT CAUSE, AND NOT ALLOWING ME TO BE HEARD; AND NOT RESPONDING TO MY MOTION FOR DISCHARGE; AND NOT BEING RELEASED FROM PROBATION AS SCHEDULED AS SET OUT BY STATE STATUTE AND THE MISSOURI BOARD OF PROBATION AND PAROLE, I BELIEVE MY DUE PROCESS RIGHTS HAS BEEN VIOLATED BY THE DEFENDANT, CAUSING ME GREAT FEAR, LOST OPPORTUNITIES, MENTAL ANGUISH AND EMOTIONAL DISTRESS.

V. Relief: State briefly and exactly what you want the Court to do for you.

IF THE COURT DETERMINES THAT THE DEFENDANT'S ACTIONS ARE WRONG, AND HAS THE AUTHORITY TO DO SOMETHING ABOUT IT, I PRAY THAT THE COURT DOES SO. I PRAY THAT THE COURT PROTECTS ME ~~FROM~~ FROM BEING A VICTIM OF UNLAWFUL POLICIES AND PROCEDURES THAT COULD RESULT IN FURTHER DAMAGE.

VI. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES

NO

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

I PREFER THAT THE COURT MAKE THIS DECISION, BECAUSE I DO NOT HAVE ENOUGH KNOWLEDGE OR EXPERIENCE TO DETERMINE A VALUE. YES, I BELIEVE I HAVE ACTUAL DAMAGES RESULTING FROM LOST OPPORTUNITIES. I ALSO BELIEVE IN PUNITIVE DAMAGES BECAUSE OF SUCH STRONG FEELINGS OF HELPLESSNESS, FEAR OF LOSING EVERYTHING AND EMBARRASSMENT OF NOT BEING ABLE TO ACCEPT A GIFT FROM MY MOTHER.

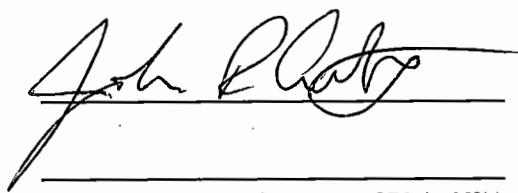
VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES

NO

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 10 day of DECEMBER, 20 17



Signature of Plaintiff(s)